

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Patent of:

KODAS et al.

Serial No.: 09/030,051

Issue Batch No: H08

Filed: February 24, 1998

Atty. File No.: 41890-00980

For: "COPPER POWDERS, METHODS
FOR PRODUCING POWDERS AND
DEVICES FABRICATED FROM
SAME"PETITION UNDER 37 C.F.R. § 1.313(C)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile (Fax No. 703-308-6916) to the U.S. Patent and Trademark Office on the date shown below.

Print or Type Name: Lisa Lawrence

Signature: 

Date: December 6, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Office of Petitions
Mr. Douglass Wood

Dear Sir:

Applicants, through their attorneys, respectfully submit this Petition under 37 C.F.R. § 1.313(c)(2) to withdraw the above-identified application from issue. Please note that this is a second request for this Petition.

Withdrawal of the present application from issue is necessary so that the Office can properly consider the patentability of one or more of the claims in view of several commonly assigned and co-pending U.S. Patents and Patent Applications. Applicants are therefore submitting this Petition to withdraw the above-identified application from issue in order to file a Request for Continued Examination in compliance with 37 C.F.R. § 1.114 for proper consideration of this issue. A copy of the Request for Continued Examination that is being filed today is attached.

In view of the foregoing, Applicants respectfully request the grant of this Petition. The Office of Petitions is cordially invited to contact the Applicant's undersigned representative with any questions or comments relating to this Petition. It is Applicant's understanding that the present application is scheduled to issue on **December 19, 2000**.

Please debit Deposit Account No. 50-1419 in the amount of \$130.00 for the fee set forth in 37 C.F.R. § 1.17(i), as well as any additional fees owed in connection with this petition.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: D. Dockery

David F. Dockery
Registration No. 34,323
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: December 6, 2000

Marsh Fischmann & Breyfogle LLP

Attorneys at Law

3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997
Fax: (303) 338-1514

David F. Dockery
Direct Dial (720) 747-8873
ddockery@mfbaw.com

Date: December 6, 2000
To: OFFICE OF PETITIONS
Attention: MR. DOUGLAS WOOD
Facsimile No.: (703) 308-6916
Verification No.:
Client No.: 41890-00980
From: DAVID F. DOCKERY
Message:

Number of pages following this cover sheet: 5

If you need a confirmation or any of the pages sent again, please call our office at the following number: 303-338-0997. If you do not call within 15 minutes, we will assume you have received the pages satisfactorily. SENT BY: L. Lawrence

CONFIDENTIALITY NOTE: The information contained in this facsimile transmittal sheet and document(s) that follow are for the exclusive use of the addressee and may contain confidential, privileged and non-disclosable information. If the recipient of this facsimile is not the addressee, or a person responsible for delivering this facsimile to the addressee, such recipient is strictly prohibited from reading, photocopying, distributing or otherwise using this facsimile transmission, or its contents, in any way. If the recipient has received this facsimile transmission in error, please call us immediately and return the facsimile transmission to us via the United States Postal Service. Thank you.

MESSAGE CONFIRMATION

DEC-06-2000 16:01 WED

FAX NUMBER : 3033381514

NAME : MARSH FISCH BREY

FAX NUMBER : 17033086916

PAGE : 06

ELAPSED TIME : 01:42

MODE : G3 STD ECM

RESULTS : O.K.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Patent of:

KODAS et al.

Serial No.: 09/030,051

Issue Batch No: H08

Filed: February 24, 1998

Atty. File No.: 41890-00980

For: "COPPER POWDERS, METHODS
FOR PRODUCING POWDERS AND
DEVICES FABRICATED FROM
SAME"

Assistant Commissioner for Patents

Washington, D.C. 20231

Attn: Office of Petitions

Mr. Douglass Wood

Dear Sir:

Applicants, through their attorneys, respectfully submit this Petition under 37 C.F.R. § 1.313(c)(2) to withdraw the above-identified application from issue.

Withdrawal of the present application from issue is necessary so that the Office can properly consider the patentability of one or more of the claims in view of several commonly assigned and co-pending U.S. Patents and Patent Applications. Applicants are therefore submitting this Petition to withdraw the above-identified application from issue in order to file a Request for Continued Examination in compliance with 37 C.F.R. § 1.114 for proper consideration of this issue. A copy of the proposed Request for Continued Examination is attached. The Request for Continued Examination will be filed immediately upon the grant of this Petition.

In view of the foregoing, Applicants respectfully request the grant of this Petition. The Office of Petitions is cordially invited to contact the Applicant's undersigned representative with any questions or comments relating to this Petition. It is Applicant's understanding that the present application is scheduled to issue on December 19, 2000.

PETITION UNDER 37 C.F.R. § 1.313(C)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile (Fax No. 703-308-6916) to the U.S. Patent and Trademark Office on the date shown below.

Print or Type Name: Lisa Lawrence

Signature: 

Date: December 6, 2000

Please debit Deposit Account No. 50-1419 in the amount of \$130.00 for the fee set forth in 37 C.F.R. § 1.17(i), as well as any additional fees owed in connection with this petition.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

David F. Dockery
Registration No. 34,323
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: December 6, 2000